

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): OLSTEIN, Alan Atty. Docket: 21001.002PCT  
 Title: **METHOD FOR DETECTING LISTERIA SPP**  
 Priority: PCT/US04/34633 filed 20 Oct 2004 and USSN 60/512,730 filed 20 Oct 2003

### DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Each undersigned inventor hereby declare(s) that:

- My residence, post office address and citizenship are as stated below next to my name.
- I believe that I am, in conjunction with any joint inventor(s) named herein, the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD FOR DETECTING LISTERIA SPP**, the patent application for which was filed as PCT International Application No. PCT/US04/34633 on 20 October 2004.
- I reviewed and understand the contents of the above-identified patent application, including the specification and claims, as amended by any amendments referred to above.
- I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability, as defined in Section 1.56 of Title 37, U.S. Code of Federal Regulations.
- Foreign priority benefits are claimed under Title 35, U.S. Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below. Also identified below are any foreign applications for patent or inventor's certificate, or any PCT international application having a filing date before that of the application for which priority is claimed.

<i>Application No.</i>	<i>Country</i>	<i>Day/Month/Year</i>	<i>Priority Claimed</i>
60/512,730	United States	20 October 2003	YES
PCT/US04/34633	PCT	20 October 2004	YES

**I APPOINT** the following registered practitioner(s) to prosecute this application and to transact all related business in the U.S. Patent and Trademark Office: Joseph T. Leone (37,170), Craig A. Fieschko (39,668), Charles S. Sara (30,492).

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***I DECLARE THAT*** all statements made herein of my own knowledge are true; all statements made on information and belief are believed to be true; that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001; and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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*Signature*

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*Day*

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